



AMENDMENT 2 TO ANNOUNCEMENT LS-114

MAY 2006

PURCHASE OF CANNED STEW PRODUCTS FOR DISTRIBUTION TO ELIGIBLE OUTLETS

This amendment is issued to: (1) supersede Amendment 1; (2) modify Section I.C., Offer prices and Evidence of Delivery; (3) reflect changes in Section I.D.4., Food Defense Requirements; (4) modify Section I.D.5., Documentation and Assessment Requirements; (5) Change references numbers on Section I.D.5., Responsibility of Subcontractors/Suppliers and Section I.D.6., Past Performance; (6) revise Section II.E.4., Certifications; (7) revise Section III, Acceptance of Offers; (8) remove all references to Audit, Review, and Compliance Branch's Instruction 1010, "USDA Supplier Eligibility Program" from the Announcement; and (9) change all references of Announcement LS-14 to Announcement LS-114

Delete "Amendment 1" and replace with "Amendment 2" and incorporate Amendment 2 in all references of "Announcement LS-114" and "Announcement".

Section I.C. Offer Price and Evidence of Delivery

Please insert the following after the third paragraph:

"All delivery units--trucklot and less-than-trucklot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals that meet the ISO 17712 standard. Failure to seal or maintain the delivery unit under seal in accordance with these requirements may subject the shipment to rejection.

The contractor must maintain a record of each seal number used for trucklot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may subject the shipment to rejection at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.

The ISO 17712 standard can be obtained through the following websites: 1) American National Standards Institute: <http://webstore.ansi.org/ansidocstore/iso.asp?> or 2) International Organization for Standardization: <http://www.iso.org/iso/en/CatalogueListPage.CatalogueList>."

Section I.D.4. Food Security Requirements

All reference to “Food Security” including the title should be changed to “Food Defense.” Delete paragraph in its entirety and replace with :

“The contractor and all subcontractors must have a documented and operational food defense plan that provides for the security of a plant’s production processes, which includes the storage and transportation of pre-production raw materials and other ingredients and post-production finished products. The plan shall address the following areas: 1) food defense plan management; 2) outside and inside security of the production and storage facilities; 3) processing, including all raw material sources; 4) controlled access to production and storage areas; 5) storage; 6) water and ice supply; 7) mail handling; 8) personnel security; and 9) transportation, shipping, and receiving (includes the sealing of any transport conveyance for trucklot and less-than-trucklot quantities of finished product).

The food defense plans will be audited by the AMS, ARC Branch (see section I.5). See FSIS Security Guidelines for Food Processors: <http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf> Information on the transportation and distribution of meat, poultry, and egg products is located at: <http://www.fsis.usda.gov/oa/topics/transportguide.htm>.”

Section I.D.5.b. Documentation and Assessment Requirement

Please insert the following after the last paragraph:

“For those suppliers who are approved and remain eligible as determined by the Contracting Officer to submit offers, the pre-award assessment audit may be waived provided all new or revised USDA program requirements are met. The contractor’s revised technical proposal must address all new or revised program requirements and be submitted and approved by the Contracting Officer in advance of submitting offers.”

Section I.D.5., Responsibility of Subcontractors/Suppliers

Change section number for Section I.D.5., Responsibility of Subcontractors/Suppliers to Section I.D.6.

Section I.D.6., Responsibility of Subcontractors/Suppliers

Delete in its entirety and replace with:

“Contractor shall include, and subcontractor must meet, the responsibility terms in the above paragraph D.3. (Responsibility) above in every subcontract for supplies or services used by the contractor in fulfilling USDA contracts, either directly or indirectly, and obtain certification of responsibility, as described in Appendix-1 to Announcement LS-114 from any subcontractors and suppliers.

Contractors shall include, and subcontractors must comply with, the domestic products clause in paragraph I.F. in all subcontracts for meat, meat products, or other ingredients used in fulfilling any contracts under this Announcement.

Subcontractors or suppliers of canned stew products are: (1) ineligible to supply product if they are currently delivering late on USDA contracts or USDA-approved subcontracts and late delivery is not due to causes beyond their control; and (2) nonresponsible if they are not operating under the

provisions of the Federal Meat Inspection Act or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.”

Section I.D.6., Past Performance

Change reference number for Section I.D.6., Past Performance, to Section I.D.7.

Section I.F. Domestic Products

Delete the sixth sentence of first paragraph and replace with:

“Such segregation plan will be audited by the ARC Branch and made available to the ARC Branch agent.”

Delete the second and third paragraph in its entirety, and replace with:

“The contractor agrees to include this domestic origin certification clause in its entirety in all subcontracts for meat or meat products and vegetables used in fulfilling any contracts awarded under this Announcement and obtain certification from each meat or meat products subcontractor that (1) the subcontractor will deliver only meat or meat products originating from U.S.-produced livestock as defined herein and (2) all raw materials will be shipped in containers labeled as “Domestic Only Product” on the principle display panel.

The subcontractor will deliver only canned stew products completely processed in the United States.”

Section II. E. 4., Certifications

Certification 2, delete and replace with:

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-114, Amendment 2; Appendix-1; Inv. ____; Exhibit A dated September 2004, applicable IDCR, Contractor’s technical proposal approved by the Contracting Officer; AMS audit team’s initial report; USDA-1, Rev. 2, and Amds. 1, 2, 3, and 4 and the Federal Acquisition Regulations (both boxes must be selected).

☐ HAS

☐ DOES

ATTACHMENT I, Item Description and Checklist of Requirement for canned beef stew dated June 2002, page 1, Material, Beef, delete the first bullet in its entirety and replace with:

- *“Beef must originate from U.S. produced livestock.”*

ATTACHMENT II, Item Description and Checklist of Requirement for canned bison stew dated July 2003, page 1, Section II. A. 1., delete (a) in its entirety.

Replace Exhibit A, dated April 2004 with the attached Exhibit A, dated September 2004.

This amendment will be effective with offers submitted on or after May 31, 2006.

/s/William T. Sessions (05/13/2006)

William T. Sessions

Associate Deputy Administrator

Livestock and Seed Program



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EXHIBIT A DATED SEPTEMBER 2004
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CHECKLIST AND REFERENCES TO APPLICABLE BID AND CONTRACT PROVISIONS
ANNOUNCEMENT LS-114
FOR CANNED STEW PRODUCTS

PRODUCT DESCRIPTION (SECTION I.A. GENERAL)					BID/CONTRACT PROVISIONS			
Product/ Commodity Box Code	Specifications Listed in Priority Order	Commodity Purchase Code	Packaging and Packing	Minimum Delivery Unit Size/Shipping Unit	Tolerance Section VIII. D	Shipping Period Section II.C.; IV and VIII	Competition (See invitation)	Payment Section XI
Canned Beef Stew/A590	Item Description and Checklist of Requirements (IDCR) July 2002, as amended September 2004-Attachment I	24-20-24	24/24 oz. cans per case	36,000 lbs/1000 cases	NONE	1 st half / 2 nd half shipping period	Full & Open	Upon Shipment XI.A.
Canned Bison Stew/A611	IDCR July 2003, as amended September 2004--Attachment II	24-35-24	24/24 oz. cans per case	36,000 lbs/1000 cases	NONE	1 st half / 2 nd half shipping period	Full & Open	Upon Shipment XI.A.